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Opinion

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CONCORD, N.H.

Mr. Winfred L. Foss, Secretary
Industrial Park Authority
State Planning and Development Commission
State House Annex
Concord, New Hampshire

Dear Sir:

You have requested the opinion of this office as to whether the Industrial Park Authority may legally purchase insurance to protect it from accident liability or other losses from fire or fraud.

Under the provisions of RSA 9:27, the funds of the State or any department or institution thereof shall not be used for providing for insurance of property owned by the State against loss by fire or other casualty, or against claims by third parties.

It is my suggestion that provisions for proper insurance should be included in any bid or contract which you propose to enter into and the contractor should be required to protect the State as a part of his contract.

Very truly yours,

Arthur E. Bean, Jr.
Assistant Attorney General

AEB,Jr/T